REMARKS

Claims 1-17 are pending in this application. Claims 1, 7, 8, 15, 16, and 17 are amended in this paper. No new matter has been introduced, and no claims are canceled or added in this paper. Claims 1, 7, 8, 15, 16, and 17 are independent claims.

In the Office Action, claims 1-17 were rejected under 35 U.S.C. § 102(b) as allegedly anticipated by U.S. Patent U.S. 6,415,257 to Junqua et al. ("Junqua").

For at least the reasons set forth below, all pending claims are believed to be in condition for allowance. All claims rejections are believed to be addressed herein. Further, Applicants believe that there are also reasons other than those set forth below why the pending claims are patentable and reserve the right to set forth those reasons, and to argue for the separate patentability of the dependent claims not explicitly addressed herein, in future papers.

I.   Claim Rejections – 35 U.S.C. § 102

To anticipate a claim, the reference must teach every element of the claim. A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). The identical invention must be shown in as complete detail as is contained in the ... claim. *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

A.   Independent claim 1

Claim 1 as amended recites in part, "presenting the response to aid in the performance tuning of one or more speech applications." (Emphasis added.) This amendment, as well as the amendments to independent claims 7, 8, 15, 16, and 17, is fully supported by Applicants' original specification and drawings. For example, see paragraphs [0004], [0005], [0014], [0034], and [0049] of Applicants' specification. The Examiner cited "*(the operation of figure 1, display 36)*" of Junqua

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as disclosing these claim recitations, but Applicants respectfully disagree that Junqua teaches or suggests at least these claim recitations of claim 1.

Junqua fails to teach or suggest Applicants' claimed "presenting the response to aid in the performance tuning of one or more speech applications." In contrast, rather than "performance tuning of one or more speech applications" to facilitate their enhanced operation, the voice commands in Junqua "tune" only in the sense of selecting a particular television channel from the television tuner. The operation of figure 1 as described in Junqua discloses that "the user interacts with the system by speaking, using natural language to express what the user wishes to view or how the user wishes to control the system." (Junqua, col. 2, lines 28-31). The display 36 element on figure 1 is a "television screen or monitor." (Junqua, figure 1, col. 3, lines 45-46). At most, the cited sections of Junqua disclose controlling a television through speech. Clearly, changing the channel on a television is not Applicants' claimed "performance tuning of one or more speech applications", so therefore the cited section of Junqua fails to teach or suggest "presenting the response to aid in the performance tuning of one or more speech applications" as recited by claim 1.

Further, claim 1 recites "event data" in numerous parts, including "receiving event data associated with a plurality of user interactions with the one or more speech applications," "storing the event data in a database," "retrieving at least a portion of the event data from the database based on the request," and "formulating a response to the request using the retrieved event data." (Emphasis added). This "response" formulated from the event data is then presented "to aid in the performance tuning of the one or more speech applications." Thus, the "event data" as recited by claim 1 is in relation to the "performance tuning of one or more speech applications" of Applicants' claims that Junqua fails to teach or suggest. In contrast to being in relation to "performance tuning of one or more speech applications," Junqua merely discloses a log of the previously watched TV shows, movies or preferences of the particular speaker used to aid in the selection of a television program to play. (Junqua, col. 2, line 43 - col. 3 line 27, and col. 4 line 62 – col. 5 line 10). At least because Junqua fails to teach or suggest "event data" as recited by claim 1, for this additional and separate reason Junqua fails to teach or suggest each recitation of claim 1.

Thus, Junqua does not teach each and every element of independent claim 1, as required in *Verdegaal Bros*. Accordingly, for at least the foregoing reasons, claim 1 is patentable over Junqua and is in condition for allowance.

B.   Independent claim 7

Independent claim 7 as amended recites in part, "providing results of the periodic analyzing to aid in the performance tuning of one or more of the speech application systems" (emphasis added), as well as "event data" in relation to "performance tuning of one or more of the speech application systems," and therefore is patentable over Junqua for at least reasons similar to those set forth above regarding claim 1.

Additionally, claim 7 recites in part, "means for periodically analyzing the event data to identify potential problem areas." The Examiner cited "(*col. 4, line 1 to col. 5, line 33, particularly col. 4, line 62 to col. 5, line 10*)" of Junqua as disclosing these claim elements. Applicants respectfully disagree that Junqua teaches or suggests at least these claim elements of claim 7.

As previously mentioned above for claim 1, Junqua fails to teach or suggest "event data" as recited in Applicants' claims. Moreover, Junqua fails to teach or suggest "periodically analyzing the event data," as recited by claim 7. (Emphasis added). In contrast, the system as disclosed by Junqua is driven solely by "Speech input 10" from the user, not any periodic process. (Junqua, figure 1). The sections of Junqua cited by the Examiner for these claim elements confirm this, merely disclosing the use of a "dialog history file 167 to check what movies the user has already viewed or rejected in a previous dialog exchange." (Id, col. 5, lines 1-3). The "dialog history file" is used only to aid in the response to user input, which clearly is not "periodically analyzing the event data."

Even assuming that Junqua teaches "periodically analyzing the event data," which it does not, Junqua still fails to teach or suggest "periodically analyzing the event data to identify potential problem areas." (Emphasis added). In contrast, the cited section of Junqua merely disclose the operation of a "natural language parser" in conjunction with a "dialog manager" using a "dialog

history file." These elements are used to understand the user's speech, and choose an appropriate television program. Nowhere does Junqua teach or suggest the use of the "dialog history data" or any other data to "identify potential problem areas." If anything, Junqua teaches away from "periodically analyzing the event data to identify potential problem areas," because the responsibility for identifying potential problems falls to the user, not the system, and "if any assumptions made by the dialog manager 130 through use of dialog history file 167 prove to be incorrect, then the speaker can correct the assumption." (Junqua, col. 5, lines 8-11).

Additionally, Junqua teaches away from "analyzing the event data to identify potential problem areas," because the data in Junqua is organized and accessed per user, not per system. In Junqua, the information is indexed by user (Junqua, figure 2) and queried by user (Id, col.2, lines 54-63). Junqua's disclosure of accessing the data per-user would not allow for identification of areas that are a problem for multiple users because the data for multiple users would never be analyzed together.

Thus, Junqua does not teach each and every element of independent claim 7, as required in *Verdegaal Bros.* Accordingly, for at least the foregoing reasons, claim 7 is patentable over Junqua and is in condition for allowance.

C.   Independent claims 8, 15, 16, and 17

Applicants submit that independent claims 8, 15, 16, and 17 are patentable over Junqua for reasons similar to those set forth above regarding claims 1 and 7. For example, as amended independent claim 1 and independent claim 16 both recite "to aid in the performance tuning of the one or more speech applications." As discussed above, Junqua teaches no such "performance tuning of the one or more speech applications," let alone "event data" in relation to "performance tuning of the one or more speech applications." Claims 8 and 17 each have similar recitations, but in relation to an analysis engine. Nevertheless, as discussed above, Junqua teaches no such "performance tuning of one or more of the speech applications," let alone "event data" in relation to "performance tuning of one or more of the speech applications." Claim 15 has a similar recitation,

but in relation to a network. Nevertheless, as discussed above, Junqua teaches no such "performance tuning of one or more of the speech application systems," let alone "event data" in relation to "performance tuning of one or more of the speech application systems." Moreover, both independent claim 7 and independent claim 16 recite, "periodically analyzing the event data to identify potential problem areas." Claim 17 also recites to "periodically analyze the event data in the database to identify potential problem areas associated with the user interactions." However, once again, Junqua lacks the recited claim elements. Junqua does not teach each and every element of independent claims 8, 15, 16, and 17. Accordingly, for at least the foregoing reasons, claims 8, 15, 16, and 17 are patentable over Junqua and Applicants respectfully request that the Examiner withdraw the rejection of these claims, which also are in condition for allowance.

D.   Dependent claims 2-6, and 9-14

All dependent claims depend either directly or indirectly from one of claims 1, 7, 8, 15, 16 or 17. Therefore, claims 2-6, and 9-14 are in condition for allowance at least because they are dependent from one of the independent claims 1, 8, 15, 16, or 17. Nevertheless, these dependent claims also recite independently patentable subject matter.

For example, dependent claim 2 recites in part, "wherein the one or more speech applications are associated with a plurality of distributed speech application systems," but Junqua does not teach or suggest at least a "distributed" system. As another example, dependent claim 3 recites in part, "wherein the event data includes information regarding verbal and non-verbal exchanges," but Junqua does not teach or suggest "non-verbal exchanges," only the parsing of "verbal" commands from a user.

CONCLUSION

All rejections have been addressed. In view of the above, the presently pending claims are believed to be in condition for allowance. Accordingly, reconsideration and allowance are respectfully requested and the Examiner is respectfully requested to pass this application to issue.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 18-0013, under Order No. 65632-0230 from which the undersigned is authorized to draw.

Dated: August 21, 2007   Respectfully submitted,

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